

SURINAME

Follow-up - State Reporting

i) Action by Treaty Bodies, Including Reports on Missions

CCPR A/59/40 vol. I (2004)

CHAPTER VII. FOLLOW-UP TO CONCLUDING OBSERVATIONS

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260. For all reports of States parties examined by the Committee under article 40 of the Covenant over the last year, the Committee has identified, according to its developing practice, a limited number of priority concerns, with respect to which it seeks the State party's response, within a period of a year, on the measures taken to give effect to its recommendations. The Committee welcomes the extent and depth of cooperation under this procedure by States parties, as may be observed from the following comprehensive table. Of the 27 States parties (detailed below) that have been before the Committee under the follow-up procedure over the last year, only one (Republic of Moldova) has failed to provide information at the latest after dispatch of a reminder. The Committee reiterates that it views this procedure as a constructive mechanism by which the dialogue initiated with the examination of a report can be continued, and which serves to simplify the process of the next periodic report on the part of the State party.

261. The table below details the experience of the Committee over the last year. Accordingly, it contains no reference to those States parties with respect to which the Committee, upon assessment of the follow-up responses provided to it, decided to take no further action prior to the period covered by this report.

<u>State party</u>	<u>Date information due</u>	<u>Date reply received</u>	<u>Further action</u>
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Eightieth session (March 2004)

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Suriname	1 April 200[5]	-	-
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CHAPTER VII. FOLLOW-UP TO CONCLUDING OBSERVATIONS

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233. For all reports of States parties examined by the Committee under article 40 of the Covenant over the last year, the Committee has identified, according to its developing practice, a limited number of priority concerns, with respect to which it seeks the State party's response, within a period of a year, on the measures taken to give effect to its recommendations. The Committee welcomes the extent and depth of cooperation under this procedure by States parties, as may be observed from the comprehensive table presented below. Since 18 June 2004, 15 States parties (Egypt, Germany, Kenya, Latvia, Lithuania, Morocco, the Netherlands, the Philippines, Portugal, the Russian Federation, Serbia and Montenegro, Slovakia, Sweden, Togo and Venezuela) have submitted information to the Committee under the follow-up procedure. Since the follow-up procedure was instituted in March 2001, only six States parties (Colombia, Israel, Mali, Republic of Moldova, Sri Lanka and Suriname) have failed to supply follow-up information that had fallen due. The Committee reiterates that it views this procedure as a constructive mechanism by which the dialogue initiated with the examination of a report can be continued, and which serves to simplify the process of the next periodic report on the part of the State party.

224. The table below details the experience of the Committee over the last year. Accordingly, it contains no reference to those States parties with respect to which the Committee, upon assessment of the follow-up responses provided to it, decided to take no further action prior to the period covered by this report.

<u>State Party</u>	<u>Date Information Due</u>	<u>Date Reply Received</u>	<u>Further Action</u>
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Eightieth session (April 2004)

Suriname	1 April [2005]	-	A reminder was dispatched. Consultations have been scheduled for the eighty-fifth session.
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CCPR, CCPR/C/SR.2392 (2006)

HUMAN RIGHTS COMMITTEE

Eighty-seventh session

SUMMARY RECORD OF THE 2392nd MEETING

Held at the Palais Wilson, Geneva,

on Wednesday, 26 July 2006, at 11 a.m.

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FOLLOW-UP TO CONCLUDING OBSERVATIONS ON STATE REPORTS AND TO
VIEWS UNDER THE OPTIONAL PROTOCOL (agenda item 7)

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Report of the Special Rapporteur for follow-up on concluding observations
(CCPR/C/87/CRP.1/Add.7)

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[Mr. RIVAS POSADA, speaking as Special Rapporteur for follow-up on concluding
observations]

50. Suriname had not responded to the Committee's request at its eightieth session in March 2004 for additional information to be submitted by 1 April 2005. A representative of the State party had informed him during the Committee's previous session in New York that replies would probably be submitted by June 2006 but none had yet been received. A reminder had been sent on 6 July 2006.

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CCPR, A/61/40 vol. I (2006)

CHAPTER VII. FOLLOW-UP TO CONCLUDING OBSERVATIONS

234. In chapter VII of its annual report for 2003 (A/58/40, vol. I), the Committee described the framework that it has set out for providing for more effective follow-up, subsequent to the adoption of the concluding observations in respect of States parties' reports submitted under article 40 of the Covenant. In chapter VII of its last annual report (A/60/40, vol. I), an updated account of the Committee's experience in this regard over the last year was provided. The current chapter again updates the Committee's experience to 1 August 2006.

235. Over the period covered by the present annual report, Mr. Rafael Rivas Posada continued to act as the Committee's Special Rapporteur for follow-up to concluding observations. At the Committee's eighty-fifth, eighty-sixth and eighty-seventh sessions, he presented progress reports to the Committee on intersessional developments and made recommendations which prompted the Committee to take appropriate decisions on a State-by-State basis.

236. For all reports of States parties examined by the Committee under article 40 of the Covenant over the last year, the Committee has identified, according to its developing practice, a limited number of priority concerns, with respect to which it seeks the State party's response, within a period of a year, on the measures taken to give effect to its recommendations. The Committee welcomes the extent and depth of cooperation under this procedure by States parties, as may be observed from the following comprehensive table. Over the reporting period, since 1 August 2005, 14 States parties (Albania, Belgium, Benin, Colombia, El Salvador, Kenya, Mauritius, Philippines, Poland, Serbia and Montenegro, Sri Lanka, Tajikistan, Togo and Uganda) have submitted information to the Committee under the follow-up procedure. Since the follow-up procedure was instituted in March 2001, only 11 States parties (Equatorial Guinea, Greece, Iceland, Israel, Mali, Moldova, Namibia, Suriname, the Gambia, Uzbekistan and Venezuela) have failed to supply follow-up information that has fallen due. The Committee reiterates that it views this procedure as a constructive mechanism by which the dialogue initiated with the examination of a report can be continued, and which serves to simplify the process of the next periodic report on the part of the State party.

237. The table below details the experience of the Committee over the last year. Accordingly, it contains no reference to those States parties with respect to which the Committee, upon assessment of the follow-up responses provided to it, decided to take no further action prior to the period covered by this report.

State party	Date	Date reply	Further action
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information due received

...

Eightieth session (March 2004)

Suriname 1 April 2005 -

Examination of the
situation in the
absence of a report

Paras. 11 and 14

Three reminders have been
dispatched, the last one on
22 February 2006.

At its eighty-sixth session,
the Special Rapporteur held
consultations with a
representative of the State
party, who indicated that a
team of legal experts had
been tasked with working on
follow-up issues.

The representative indicated
that they will try to submit
follow-up replies by the end
of June 2006.

Last reminder was
dispatched on 6 July 2006.

Consultations have been
scheduled for the
eighty-eighth session.

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CCPR, A/62/40 vol. I (2007)

CHAPTER VII. FOLLOW-UP ON CONCLUDING OBSERVATIONS

220. In chapter VII of its annual report for 2003 (A/58/40, vol. I), the Committee described the framework that it has set out for providing for more effective follow-up, subsequent to the adoption of the concluding observations in respect of States parties' reports submitted under article 40 of the Covenant. In chapter VII of its last annual report (A/61/40, vol. I), an updated account of the Committee's experience in this regard over the last year was provided. The current chapter again updates the Committee's experience to 1 August 2007.

221. Over the period covered by the present annual report, Mr. Rafael Rivas-Posada continued to act as the Committee's Special Rapporteur for follow-up to concluding observations. At the Committee's eighty-fifth, eighty-sixth and eighty-seventh sessions, he presented progress reports to the Committee on intersessional developments and made recommendations which prompted the Committee to take appropriate decisions State by State. In view of Mr. Rivas-Posada's election to the Chair of the Committee, Sir Nigel Rodley was appointed the new Special Rapporteur for follow-up on concluding observations at the Committee's ninetieth session.

222. For all reports of States parties examined by the Committee under article 40 of the Covenant over the last year, the Committee has identified, according to its developing practice, a limited number of priority concerns, with respect to which it seeks the State party's response, within a period of a year, on the measures taken to give effect to its recommendations. The Committee welcomes the extent and depth of cooperation under this procedure by States parties, as may be observed from the following comprehensive table.¹ Over the reporting period, since 1 August 2006, 12 States parties (Albania, Canada, Greece, Iceland, Israel, Italy, Slovenia, Syrian Arab Republic, Thailand, Uganda, Uzbekistan and Venezuela) have submitted information to the Committee under the follow-up procedure. Since the follow-up procedure was instituted in March 2001, only 12 States parties (Brazil, Central African Republic, Democratic Republic of the Congo, Equatorial Guinea, Mali, Moldova, Namibia, Surinam, Paraguay, the Gambia, Surinam and Yemen) and UNMIK have failed to supply follow-up information that has fallen due. The Committee reiterates that it views this procedure as a constructive mechanism by which the dialogue initiated with the examination of a report can be continued, and which serves to simplify the process of the next periodic report on the part of the State party.

223. The table below takes account of some of the Working Group's recommendations and details the experience of the Committee over the last year. Accordingly, it contains no reference to those States parties with respect to which the Committee, upon assessment of the follow-up responses provided to it, decided before 1 August 2006 to take no further action prior to the period covered by this report.

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Eightieth session (March 2004)

State party: Surinam*

* Pursuant to article 69A, paragraph 3, of its rules of procedure, the Human Rights Committee decided to publish the provisional concluding observations on Surinam that were adopted and transmitted to the State party at its eightieth session.

Report considered: Consideration of the situation in the absence of a report (17 and 18 March 2004).

Information requested:

Para. 11: Investigation of ill-treatment by an independent body; prosecution of those responsible; human-rights training for law enforcement personnel (paras. 7 and 10).

Para. 14: Correct the practice of holding people in pretrial detention for excessive periods; amend the related legislation forthwith (para. 9.3).

Date information due: 1 April 2005

Date reply received: NONE RECEIVED

Action taken:

31 May 2005 A reminder was sent.

11 October 2005 A further reminder was sent.

22 February 2006 A further reminder was sent.

March 2006 The Special Rapporteur met with a representative of the State party, who informed him that a team of legal experts had been appointed to work on follow-up issues. They would try to submit their follow-up responses by the end of June 2006.

6 July 2006 A further reminder was sent.

20 September 2006 A further reminder was sent.

5 February 2007 A further reminder was sent.

29 June 2007 A further reminder was sent to the State party.

Recommended action: Consultations should be scheduled for the ninety-second session.

Next report due: 1 April 2008

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Note

1/ The table format was altered at the ninetieth session.

CCPR, CCPR/C/SR.2564/Add.1 (2008)

HUMAN RIGHTS COMMITTEE

Ninety-third session

SUMMARY RECORD OF THE SECOND PART (PUBLIC)* OF THE 2564th MEETING

Held at the Palais Wilson, Geneva,

on Wednesday, 23 July 2008 at 11.25 a.m.

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FOLLOW-UP TO CONCLUDING OBSERVATIONS ON STATE REPORTS AND TO
VIEWS UNDER THE OPTIONAL PROTOCOL

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Report of the Special Rapporteur for follow-up on concluding observations (CCPR/C/93/R.1)

1. Sir Nigel RODLEY, Special Rapporteur for follow-up on concluding observations, introduced his report contained in document CCPR/C/93/R.1.

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3. ...In the case of Suriname, he recommended that the State party should be informed that the requested information should be included in its third periodic report, which was overdue and should be submitted promptly.

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39. The draft report of the Special Rapporteur for follow-up on concluding observations was adopted.

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CHAPTER VII. FOLLOW-UP TO CONCLUDING OBSERVATIONS

194. In chapter VII of its annual report for 2003,²⁰ the Committee described the framework that it has set out for providing for more effective follow up, subsequent to the adoption of the concluding observations in respect of States parties' reports submitted under article 40 of the Covenant. In chapter VII of its last annual report (A/62/40, vol. I), an updated account of the Committee's experience in this regard over the last year was provided. The current chapter again updates the Committee's experience to 1 August 2008.

195. Over the period covered by the present annual report, Sir Nigel Rodley acted as the Committee's Special Rapporteur for follow-up on concluding observations. At the Committee's ninety-first, ninety-second and ninety third sessions, he presented progress reports to the Committee on inter-sessional developments and made recommendations which prompted the Committee to take appropriate decisions State by State.

196. For all reports of States parties examined by the Committee under article 40 of the Covenant over the last year, the Committee has identified, according to its developing practice, a limited number of priority concerns, with respect to which it seeks the State party's response, within a period of a year, on the measures taken to give effect to its recommendations. The Committee welcomes the extent and depth of cooperation under this procedure by States parties, as may be observed from the following comprehensive table.²¹ Over the reporting period, since 1 August 2007, 11 States parties (Bosnia and Herzegovina, Brazil, Hong Kong Special Administrative Region (China), Mali, Paraguay, Republic of Korea, Sri Lanka, Suriname, Togo, United States of America and Ukraine), as well as the United Nations Interim Administration Mission in Kosovo (UNMIK), have submitted information to the Committee under the follow up procedure. Since the follow up procedure was instituted in March 2001, 10 States parties (Barbados, Central African Republic, Chile, Democratic Republic of the Congo, Equatorial Guinea, Gambia, Honduras, Madagascar, Namibia and Yemen) have failed to supply follow up information that has fallen due. The Committee reiterates that it views this procedure as a constructive mechanism by which the dialogue initiated with the examination of a report can be continued, and which serves to simplify the process of the next periodic report on the part of the State party.

197. The table below takes account of some of the Working Group's recommendations and details the experience of the Committee over the last year. Accordingly, it contains no reference to those States parties with respect to which the Committee, upon assessment of the follow up responses provided to it, decided before 1 August 2007 to take no further action prior to the period covered by this report.

198. The Committee emphasizes that certain States parties have failed to cooperate with it in the performance of its functions under Part IV of the Covenant, thereby violating their obligations (Gambia, Equatorial Guinea).

20/ *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 40 (A/58/40), vol. I.*

21/ The table format was altered at the ninetieth session.

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Eightieth session (March 2004)

State party: Suriname*

* Pursuant to rule 69A, paragraph 3, of its rules of procedure, the Human Rights Committee decided to publish the provisional concluding observations on Suriname that were adopted and transmitted to the State party at its eightieth session.

Report considered: Second periodic (due since 1985), submitted on 1 July 2003.

Information requested:

Para. 11: Investigation of allegations of ill-treatment in custody by an independent body; prosecution of those responsible; compensation for victims; human rights training for law enforcement personnel (arts. 7 and 10).

Para. 14: Correct the practice of holding people in pretrial detention for excessive periods; amend legislation to ensure that anyone arrested or detained on a criminal charge is brought promptly before a judge (para. 9).

Date information due: 1 April 2005

Date information received:

5 May 2008 Partial reply (response incomplete with regard to paragraphs 11 and 14).

Action taken:

Between May 2005 and February 2006, three reminders were sent.

March 2006 The Special Rapporteur met with a representative of the State party, who informed him that a team of legal experts had been appointed to work on follow-up issues. They would try to submit their follow-up responses by the end of June 2006.

Between July 2006 and September 2007. 17 January 2008 The Special Rapporteur requested a meeting with a representative of the State party.

18 March 2008 The Special Rapporteur requested a meeting with a representative of the State party.

1 April 2008 Consultations were held during the ninety-second session (response incomplete with regard to paragraphs 11 and 14). The delegation committed itself to providing written replies within one month. The delegation informed that preparations for the third periodic report (due 1 April 2008) are under way and that the report should be submitted to the Committee by the end of 2008 or early in 2009.

Recommended action: Consultations should be scheduled for the ninety-second session.

Next report due: 1 April 2008

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VII. FOLLOW UP TO CONCLUDING OBSERVATIONS

237. In chapter VII of its annual report for 2003,²⁰ the Committee described the framework that it has set out for providing for more effective follow up, subsequent to the adoption of the concluding observations in respect of States parties' reports submitted under article 40 of the Covenant. In chapter VII of its last annual report (A/63/40, vol. I), an updated account of the Committee's experience in this regard over the last year was provided. The current chapter again updates the Committee's experience to 1 August 2009.

238. Over the period covered by the present annual report, Sir Nigel Rodley acted as the Committee's Special Rapporteur for follow-up on concluding observations. At the Committee's ninety-fourth, ninety-fifth and ninety-sixth sessions, he presented progress reports to the Committee on inter-sessional developments and made recommendations which prompted the Committee to take appropriate decisions State by State.

239. For all reports of States parties examined by the Committee under article 40 of the Covenant over the last year, the Committee has identified, according to its developing practice, a limited number of priority concerns, with respect to which it seeks the State party's response, within a period of a year, on the measures taken to give effect to its recommendations. The Committee welcomes the extent and depth of cooperation under this procedure by States parties, as may be observed from the following comprehensive table.²¹ Over the reporting period, since 1 August 2008, 16 States parties (Austria, Barbados, Bosnia and Herzegovina, Chile, Costa Rica, Czech Republic, France, Georgia, Honduras, Hong Kong Special Administrative Region (China), Ireland, Libyan Arab Jamahiriya, Madagascar, Tunisia, Ukraine and United States of America), as well as the United Nations Interim Administration Mission in Kosovo (UNMIK), have submitted information to the Committee under the follow up procedure. Since the follow up procedure was instituted in March 2001, 11 States parties (Botswana, Central African Republic, Democratic Republic of the Congo, Equatorial Guinea, Gambia, Namibia, Panama, Sudan, the former Yugoslav Republic of Macedonia, Yemen and Zambia) have failed to supply follow up information that has fallen due. The Committee reiterates that it views this procedure as a constructive mechanism by which the dialogue initiated with the examination of a report can be continued, and which serves to simplify the process of the next periodic report on the part of the State party.²²

240. The table below takes account of some of the Working Group's recommendations and details the experience of the Committee over the last year. Accordingly, it contains no reference to those States parties with respect to which the Committee, upon assessment of the follow up responses provided to it, decided before 1 August 2008 to take no further action prior to the period covered by this report.

241. The Committee emphasizes that certain States parties have failed to cooperate with it in the performance of its functions under Part IV of the Covenant, thereby violating their obligations (Gambia, Equatorial Guinea).

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Eightieth session (March 2004)

State party: Suriname

Report considered: Second periodic (due since 1985), submitted on 1 July 2003.

Information requested:

Para. 11: Investigation of allegations of ill-treatment in custody by an independent body; prosecution of those responsible; compensation for victims; human rights training for law enforcement personnel (arts. 7 and 10).

Para. 14: Correct the practice of holding people in pretrial detention for excessive periods; amend legislation to ensure that anyone arrested or detained on a criminal charge is brought promptly before a judge (para. 9).

Date information due: 1 April 2005

Date information received:

5 May 2008 Partial reply (response incomplete with regard to paragraphs 11 and 14).

Action taken:

Between May 2005 and February 2006, three reminders were sent.

March 2006 The Special Rapporteur met with a representative of the State party, who informed him that a team of legal experts had been appointed to work on follow-up issues. They would try to submit their follow-up responses by the end of June 2006.

Between July 2006 and September 2007, five reminders were sent.

17 January 2008 The Special Rapporteur requested a meeting with a representative of the State party.

18 March 2008 The Special Rapporteur requested a meeting with a representative of the State party.

1 April 2008 Consultations were held during the ninety-second session (response incomplete with regard to paragraphs 11 and 14). The delegation committed itself to providing written replies within one month. The delegation informed that preparations for the third periodic report (due 1 April 2008) are under way and that the report should be submitted to the

Committee by the end of 2008 or early in 2009.

23 September 2008 The Special Rapporteur reminded the State party to submit its third periodic report, due since 1 April 2008, and to include the outstanding information on paragraphs 11 and 14 in the report.

16 December 2008 A further reminder was sent.

Recommended action: The follow-up procedure with respect to the second periodic report is terminated. A note verbale will be sent to the State party reminding it that its third periodic report is overdue and should be submitted promptly, and that the requested follow-up information should be included in the periodic report.

Next report due: 1 April 2008

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20/ *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 40 (A/58/40), vol. I.*

21/ The table format was altered at the ninetieth session.

22/ As the next periodic report has become due with respect to the following States parties, the Committee has terminated the follow-up procedure despite deficient information or the absence of a follow-up report: Mali, Sri Lanka, Suriname, Namibia, Paraguay, and the Democratic Republic of the Congo.

CCPR, CCPR/C/SR.2738/Add.1 (2010)

Human Rights Committee
Ninety-ninth session

Summary record of the second part (public) of the 2738th meeting
Held at Palais Wilson, Geneva,
on Wednesday 28 July 2010, at 11:25 am

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Follow-up to concluding observations on State reports and to Views under the Optional Protocol

Report of the Special Rapporteur for Follow-up on Concluding Observations (CCPR/C/99/2/CRP.1)

...

3. Introducing his report (CCPR/C/99/2/CRP.1), he drew attention to the footnote on the first page. In the cases of the Democratic Republic of the Congo, Mali, Namibia, Paraguay, Sri Lanka, Suriname and Yemen, the follow-up procedure had been suspended despite the fact that those States parties had not provided sufficient information. That decision had been taken because there remained one year or less before the States were due to submit their next reports. The current dilemma facing the Committee was that those States' reports were now overdue. He asked whether colleagues agreed that, under those circumstances, the follow-up procedure should remain suspended.

4. **The Chairperson** said that, if there was no objection, he took it that the Committee agreed with that conclusion.

5. *It was so decided.*

...

...

Chapter VII: Follow-up to Concluding Observations

203. In chapter VII of its annual report for 2003,¹⁶ the Committee described the framework that it has set out for providing for more effective follow-up, subsequent to the adoption of the concluding observations in respect of States parties' reports submitted under article 40 of the Covenant. In chapter VII of its last annual report,¹⁷ an updated account of the Committee's experience in this regard over the last year was provided. The current chapter again updates the Committee's experience to 1 August 2010.

204. Over the period covered by the present annual report, Mr. Abdelfattah Amor acted as the Committee's Special Rapporteur for follow-up on concluding observations. At the Committee's ninety-seventh, ninety-eighth and ninety-ninth sessions, he presented progress reports to the Committee on intersessional developments and made recommendations which prompted the Committee to take appropriate decisions State by State.

205. For all reports of States parties examined by the Committee under article 40 of the Covenant over the last year, the Committee has identified, according to its developing practice, a limited number of priority concerns, with respect to which it seeks the State party's response, within a period of a year, on the measures taken to give effect to its recommendations. The Committee welcomes the extent and depth of cooperation under this procedure by States parties, as may be observed from the following comprehensive table.¹⁸ Over the reporting period, since 1 August 2009, 17 States parties (Bosnia and Herzegovina, Chile, Costa Rica, Czech Republic, Denmark, France, Georgia, Japan, Monaco, Spain, the former Yugoslav Republic of Macedonia, Sudan, Sweden, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland and Zambia), as well as the United Nations Interim Administration Mission in Kosovo (UNMIK), have submitted information to the Committee under the follow-up procedure. Since the follow-up procedure was instituted in March 2001, 12 States parties (Australia, Botswana, Central African Republic, Democratic Republic of the Congo, Equatorial Guinea, Gambia, Namibia, Nicaragua, Panama, Rwanda, San Marino and Yemen) have failed to supply follow-up information that has fallen due. The Committee reiterates that it views this procedure as a constructive mechanism by which the dialogue initiated with the examination of a report can be continued, and which serves to simplify the preparation of the next periodic report by the State party.¹⁹

206. The table below takes account of some of the Working Group's recommendations and details the experience of the Committee over the last year. Accordingly, the report does not cover those States parties with respect to which the Committee has completed its follow-up activities, including all States parties which were considered from the seventy-first session (March 2001) to the eighty-fifth session (October 2005).

207. The Committee emphasizes that certain States parties have failed to cooperate with it in the performance of its functions under Part IV of the Covenant, thereby violating their obligations (Equatorial Guinea, Gambia).

¹⁶ *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 40*, vol. I (A/58/40 (vol. I)).

¹⁷ *Ibid.*, *Sixty-Fourth Session, Supplement No. 40*, vol. I (A/64/40 (vol. I)).

¹⁸ The table format was altered at the ninetieth session.

¹⁹ As the next periodic report has become due with respect to the following States parties, the Committee has terminated the follow-up procedure despite deficient information or the absence of a follow-up report: Austria, Brazil, Central African Republic, Democratic Republic of the Congo, Hong Kong (China), Mali, Namibia, Paraguay, Republic of Korea, Sri Lanka, Suriname and Yemen.

Follow-up - State Reporting
ii) Action by State Party

CCPR, CCPR/C/SUR/CO/2/Add.1 (2008)

Replies by the Government of Suriname on the concluding observations of the Human Rights Committee (CCPR/CO/80/SUR) *

[5 May 2008]

Replies by the Government of the Republic of Suriname on the concluding observations of the Human Rights Committee

1. In its consideration of the second periodic report submitted by the Government of Suriname under article 40 of the International Covenant on Civil and Political Rights, the Human Rights Committee expressed concern in paragraphs 11 and 14 regarding respectively 'the treatment of people in custody' and 'lengthy pre-trial detention'.

2. The Permanent Representative of Suriname to the United Nations Office at Geneva, H.E. Henry Mac Donald, verbally reported progress on these two items to the Special Rapporteur of the Human Rights Committee, Sir Nigel Rodley, on 1 April 2008 in New York. The purpose of this communication is to confirm this report in writing.

Concern No 11:

3. The 'Complaints Desk', an Institution of the Ministry of Justice and Police which reports directly to the Minister, is authorized to deal with complaints of ill-treatment of detainees by police officers. This institution was established in May 2005 and operates along with the Central Inspection Institution of the Police which comes under the Chief Police Officer. The Complaints Desk is in charge of supervising compliance by police officers with their code of conduct. Both institutions follow up on complaints of police misbehaviour but are authorized to conduct investigations on their own authority and both liaise closely with the Attorney-General's Office in case there are reasons to suspect ill-treatment of a detainee.

4. Complaints about ill-treatment in custody are made either by the person held in custody or by any of his acquaintances. Statistics show that the following number of complaints of ill-treatment in custody have been dealt with by the Complaints Desk in the period 2005- 2007:

- Cases of violence - 136
- Use of coercion - 180
- Improper behaviour - 223
- Use of inappropriate investigation methods - 216 and
- Other instances of improper behaviour - 76

5. In instances where the complaints indicated punishable acts, those have been prosecuted by the Attorney-General and punishment was imposed by the Criminal Court. Both are independent authorities.

6. In other instances of violation of the Police Charter or code of conduct appropriate disciplinary measures are, depending on their respective authorities, taken by the Minister of Justice and Police or the Chief Police Officer. Compensation is subject to a judgment of the civil court. Human rights training has recently been included in the official training of enforcement personnel and a public prosecutor is now specifically charged with alleged human rights violations. Strict adherence to these regulations and practices should ensure a reduction of instances of ill-treatment caused by misbehaviour of police officers.

7. Available facilities for detainees however are still insufficient. Most locations are overcrowded. Measures are being taken to redress this situation as a matter of priority. A juvenile facility for boys was recently opened, existing facilities are being renovated and new facilities are being planned. The Ministry of Justice and Police is in the meantime implementing management practices to more effectively align arrest policies and available facilities.

Concern No 14:

8. On 22 January 2008, Parliament approved amendments to the Code of Criminal Procedures ensuring that detainees have to be brought before a judge within seven days rather than within 44 days after being arrested. These amendments came into effect in the course of last month. This leaves unabridged the right of a detainee to seek recourse to a judge any time after being detained and to be heard within 24 hours after submission of a request to that effect.

9. Following an instruction of the Attorney-General to ensure strict adherence to these law-based guarantees, there are in practice no instances of pre-trial arrest that last more than four days unless a judge has ruled that the arrest is legitimate.

10. Incommunicado detention only happens in extraordinary circumstances in the interest of the investigation. A decision to that effect by the Attorney-General is communicated mentioning the relevant grounds, in writing to the detainee. Access of a lawyer to detainees is allowed as a matter of course. Areas for further improvements of the national legislation to ensure respect for human rights of detainees in accordance with international norms are being investigated.

* The replies of Suriname to the Committee's concluding observations are issued under the symbol CCPR/C/SUR/CO/2/Add.1, instead of the previous symbol (CCPR/CO/80/SUR/Add.1), in accordance with the definition of treaty body document symbols adopted in August 2005.